Supreme Court, U.S.
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No. 09-1330

IN THE

Supreme Court of the United States

Rev. Dr. Willie Gerald Newsom, T.H.D., D.D.,

Petitioner,

v.

The State of Tennessee, ET AL.

Respondent.

Rule 44 Appeal On Petition For A Writ Of Certiorari To The United States Court Of Appeals For The Sixth Circuit

GUARANTEED APPROVAL BY U.S.C. 18 CHAPTER 13 § 242 FOR FAILURE TO RECEIVE RIGHTS DEMANDED AND GUARANTEED UNDER THE U.S. CONSTITUTION

Rev. Dr. Willie G. Newsom
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(731) 285-7010

Counsel on Record

PARTIES TO THE PROCEEDING

The following individuals and entities are parties in the court below:

Rev. Dr. Willie Gerald Newsom; The United States, United States Justice Department, The State of Tennessee, State of Tennessee Department of Human Services, Marianna Williams, Larry Blakeburn, Kimberly Childress Monteith, Kenny Monteith, Connie Haymon Scott, Telesa Taylor, Joni McGehee, Steve Stafford, Larry Newsom, Julio M. Pagan, Jan Stigall, Dyersburg Manor Nursing Home and Dyersburg State Gazette / Russ Communications Inc.

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PETITION UNDER RULE 44 FOR U.S. SUPREME COURT RULES

Petitioner Rev. Dr. Willie G. Newsom respectfully submits this petition to review his request of a Writ of Certiorari of the final order of the United States Court of Appeals for the Sixth Circuit that road-blocked this Petitioner's right to Due Process of Law.

I. Clear Understanding of this Petitioner's Intentions:

A. This Petitioner has never asked for and/or demanded now or in the future for the impeachment, removal, or prosecution of any official or named Defendant of this case.

B. The above has never been the Petitioner's goal nor his responsibility.

C. The Petitioner has faithfully believed the U.S. Supreme Court will seek to peacefully help resolve this situation in such a way as to protect and preserve the Constitutional and Civil Rights of the Petitioner and his beloved Mother.

II. This Case has all the Elements to constitute an important Land Mark Case of National Importance before the U.S. Supreme Court:

A. If the U.S. Supreme Court would answer the simply worded and very profound questions submitted to the Court by this Petitioner, such could potentially save the courts throughout America loss of time and needless debate by clarifying these issues now.

B. Justice and fairness to all would best be served: If the U.S. Supreme Court would answer these important questions for the safety and well being of all Americans that might in the future face similar problems as this Petitioner and his Mother have encountered.

III. What Due Process of Law would have shown:

A. This Petitioner and his Mother have suffered injuries caused by the Defendants that have never been discussed by any court and which the Defendants have never argued or refuted in the last 4 ½ years.

B. Many sworn Affidavits of witnesses found filed in the justice tracking system prove

that the Defendants did willfully leave this Petitioner who has been bed ridden for 17 years without any personal care and without a proper functioning telephone all alone and without warning.

C. Records of two hospitals filed in the justice tracking system prove that the Defendants almost caused the loss of life of this Petitioner by their negligence, and that he is a former U.S. Army Officer who faithfully served this nation as an honored veteran who has sought for 22 years to receive physical therapy and care as the result of the indifference of some state and federal officials.

D. By their own words the Defendants admit that this Petitioner is an invalid confined at all times to his bed: And thusly knew or should have known that their actions endangered him and deprived him of safety and well being and not to be horrified by their conduct.

IV. This Petitioner retains his faith that the wise and honorable Judges of the U.S. Supreme Court will correct this injustice now that the Court understands this situation:

A. The wise Judges of the U.S. Supreme Court placed over the door way of the U.S. Supreme Court building the following words to

reflect their continued desire to show fairness: " Equal Justice For All ".

B. The Petitioner believes that the present judges of this Court will agree with the words of the Chief Justice from the United States who spoke at the Nuremberg Trials in Germany at the close of World War II who said: " We are met here today because of the immense value of Justice, Truth, and the Human Rights of each individual" .

C. This Petitioner has never received at any time in any court his constitutionally guaranteed right of Trial by Jury that he habitually invoked that is required to be respected under the Federal Rules of Civil Procedures (FRCP) Rule 38 (a) and Rule 39 (a), under the guaranteed right of the 7th Amendment, and by the authority of U.S.C. 18 Chapter 13 § 242 which the U.S. Supreme Court ruled to be a constitutionally valid federal law.

D. This Petitioner has never received any hearing or conference at any level to examine his witnesses and evidence: And neither has his Mother for whom he is her only General Durable Power of Attorney and only Executor of her will and estate, which violated their 14th and 5th Amendment rights to Due Process of Law and to equal protection under the Laws: And their 1st Amendment right to redress grievances.

V. Standard for Review:

A. In ***Twining v. New Jersey***, 211 U.S. 78, 29 S.Ct. 14 (1908): " The words 'Due Process of Law' 'were intended to secure the individual from the arbitrary exercise of the powers of government, unrestrained by the established principles of private rights and distributive justice.' ***Bank of Columbia v. Okely***, 4 Wheat. 235, 244, 4 L. ed. 559, 561 (1819) (approved in ***Hurtado v. California***, 110 U.S. 516, 527, 28 L. ed. 232, 235, 4 Sup. Ct. Rep. 111, 292 (1884); ***Leeper v. Texas***, 139 U.S. 462, 468, 35 L. ed. 225, 227, 11 Sup. Ct. Rep. 577(1891); ***Scott v. McNeal***, 154 U.S. 34, 45, 38 L. ed. 896, 901, 14 Sup. Ct. Rep. 1108) (1894)."

B. ***United States v. William Wagner***, (99-2481), (6th Cir. 2001) states: "The right to a jury trial is a fundamental right and is not subject to harmless error review. Because the right to a trial by jury is a fundamental constitutional right, a waiver cannot be presumed from a silent record. ***Untied States v. Lee***, 539 F.2d 606, 609 (6th Cir. 1976)(citing ***Burnham v. N. Chicago St. Ry. Co.***, 88 F. 627 (7th Cir. 1898)). In fact, 'courts indulge every reasonable presumption against waiver of fundamental constitutional rights and require a showing of an intentional relinquishment or abandonment of known right or privilege.' Lee. 539

F.2d at 609-610 (citing *Johnson v. Zerbst*, 304 U.S. 458, 464, 58 S.Ct. 1019, 82 L.ed. 1461 (1938)."

VI. CONCLUSION

A. Although this Petitioner is entitled by law to summary judgment immediately, he has always stated his willingness to peacefully mediate this matter as U.S.C. 28 §§ 651, 652 recommend and relies on U.S.C. 28 § 2111 to shield this filing from unjust criticism and harmless errors as he did with all other filings.

B. This Petitioner certifies under oath that since this filing was prepared: He has consulted with a very experienced Law Firm who has filed cases on appeal court levels that certified to this Petitioner the Law Firm will absolutely represent this Petitioner later, if this honorable Court awards mediation, a hearing, or some other proceedings.

C. If the fair-minded Judges of the U.S. Supreme Court whose hearts are full of integrity were now to grant this bed-ridden Petitioner and Counsel relief in this matter that his filed affidavits of witnesses prove that he is entitled to receive: May The Supreme Judge and Creator of our universe and All Freedom loving Americans

say with deep appreciation of this highest Court of our Nation:

" WELL DONE, GOOD AND FAITHFUL SERVANTS ! "

Respectfully Submitted under penalty of perjury:

Rev. Dr. Willie Gerald Newsom

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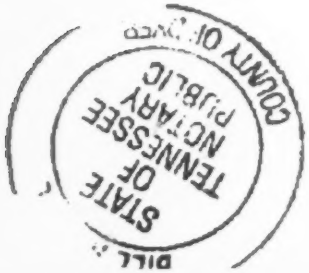
B.A., M.A., Th.M., D.D., D.Min., Th.D., M.L.D.

Sworn to and subscribed before me on this 19th day of the month of July in the year 2010. My notary commission expires on the 28 day of the month of JAN in the year 2012.

NOTARY OF PUBLIC



"GOOD FAITH CERTIFICATION UNDER OATH"

I, Rev. Dr. Willie G. Newsom, who serves as Pro Se Counsel of Record under the authority of U.S.C. 28 § 1654 do hereby declare under penalty of perjury that I make this formal filing in Good Faith with no intention to delay: As directed per U.S. Supreme Court Rule 44.

Rev. Dr. Willie G. Newsom
Pro Se Counsel of Record

Sworn to and subscribed before me on this 19th day of the month of July in the year 2010. My notary commission expires on the 28 day of the month of JAN in the year 2012

NOTARY OF PUBLIC

BILL REVELL
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DYER

STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DYER